# PERMANENCY OBJECTIVES SELECTION GUIDEBOOK

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# SELECTION OF A PERMANENCY OBJECTIVE

# SECTION I

## POLICY

Every child and family will have an appropriate permanency objective which identifies the main focus of the case plan and services. Determination of the permanency objective will be done with the family and take into consideration the best interests of the child. The permanency objectives are as follows:

- 1. Family preservation;
- 2. Reunification;
- 3. Adoption;
- 4. Legal guardianship;
- 5. Long-term foster care;
- 6. Independent living (child must be 16 years or older); and
- 7. Self-sufficiency with supervision.

Each of these permanency objectives and guidelines for selection of each are described in the following sections.

# SECTION II

# **FAMILY PRESERVATION**

Family preservation will be the first consideration whenever the worker assessment indicates the child can be safely maintained in the home. Department services will then focus on returning legal custody to the parent(s).

## SECTION III

# REUNIFICATION

For any ward in out-of-home placement, reunification will be the first permanency objective considered. Once a ward has been placed back in the parental home, the objective then becomes family preservation. Alternatives to reunification will be considered only when the family has been given reasonable opportunities to reunify and those efforts haven't been successful.

A plan for reunification will remain the permanency objective when a protective service worker makes a referral to the county attorney requesting a motion for termination of parental rights be filed on a case. Reunification will remain the permanency objective until the court has made a decision.

#### SECTION IV

## ADOPTION

When reunification efforts have been exhausted or when reunification is not appropriate, the permanency objective to be considered is adoption. This objective is selected when a parent has relinquished parental rights or when the court has terminated a parent's rights, even if this decision is under appeal or action hasn't been taken on the other parent.

# Assessing Adoption as a Plan

Adoption may be an appropriate plan for any child for whom returning home is not possible or likely, whether or not the child has been freed for adoption. It must be considered as a potential plan for every child whose parental rights have been severed.

The worker and supervisor will meet with the designated adoption staff or team in each District for consultation regarding a permanency objective when adoption is an option. Cases should be brought to this team when:

- 1. There has been a determination that reunification is not appropriate;
- 2. The plan is for the child to be legally free; or
- 3. The child becomes legally free.

Factors to Consider in Determining Adoption as a Permanency Objective

The decision regarding adoption as a permanency objective should allow for the most permanent placement for the child. A child's age or special needs shouldn't prevent adoption as a permanency objective.

The child's worker in consultation with his/her supervisor and designated adoption staff or team will assess if adoption is the appropriate plan for the child. An assessment will also be made in regard to the child's need for contact with the family of origin, including siblings, extended family and others significant to the child.

#### SECTION V

## LEGAL GUARDIANSHIP

Legal guardianship is considered as a permanency objective when:

- 1. All efforts to reunify the family have been exhausted;
- 2. The child cannot return home;
- 3. All reasonable efforts to secure adoption of the child have been unsuccessful; or
- 4. It is determined that adoption is not in the best interest of the child.

#### Case Conference

If a worker is considering legal guardianship for a child, she/he will hold a case conference with her/his supervisor and specialized adoption staff. Other people invited to the conference could include the permanency plan reviewer and guardian ad litem. The team should discuss the child's needs, wishes and situation, the provider's role, wishes and situation and determine if adoption or legal guardianship is the most appropriate goal. The best interest of the child will be the deciding factor.

Factors to Consider in Determining Legal Guardianship as an Objective

The following factors will be considered when determining legal guardianship as a permanency objective:

- 1. The child has a relationship with a prospective guardian and has lived successfully for a minimum of six months in the home of the guardian; or

  The worker has determined that the child will develop a relationship with a relative or foster parent who is committed to the child's placement;
- 2. The child cannot return home despite reasonable opportunities provided to the parents to correct the family conditions leading to the child's placement;
- 3. It is unreasonable to pursue adoption because:
  - a. Efforts to secure a voluntary relinquishment of parental rights and termination of parental rights by the court have been unsuccessful;
  - b. It has been determined that adoption is not in the child's best interest; or
  - c. Parental rights have been terminated but exhaustive efforts haven't been able to secure an adoptive placement;
- 4. The prospective guardian and the child can function effectively without Department supervision;
- 5. The guardian is able and willing to support the child financially, or satisfactory financial arrangements can be made. If a guardian will need ongoing financial assistance to care for a child, eligibility for a guardianship subsidy will be pursued by the worker;
- 6. The child is age 12 or older, is part of a sibling group or is attached to the proposed guardian and adoption is not feasible.

#### SECTION VI

## LONG-TERM FOSTER CARE

When all efforts to achieve reunification, adoption or legal guardianship are unsuccessful, the objective of long-term foster care may be selected. This will be formalized in a planned written agreement.

# Criteria for the Choice of Long-Term Foster Care

Long-term foster care is appropriate for selection as an objective when all of the following conditions are met:

- 1. The child has a relationship with a prospective long-term foster parent and has lived successfully for a minimum of one year in the home of the long-term foster parent, or the worker has determined that the child will develop a relationship with a relative or foster parent who is committed to the long-term foster care plan;
- 2. The child cannot return home despite all efforts for reunification;
- 3. The child cannot be adopted because:
  - All reasonable efforts to secure adoption, including efforts at securing relinquishment or termination of parental rights through consultation with the county attorney, guardian ad litem, and Department legal staff have been unsuccessful or when it has been determined that adoption is not in the child's best interest; or
  - b. Parental rights have been terminated and adoption is not possible after exhaustive efforts have been made to secure the child's adoption;
- 4. Exhaustive efforts to effect a guardianship plan for the child have been made and haven't been successful (that is, the court will not grant the guardianship); and
- 5. The child is age 12 or older, or if age 11 or younger, part of a sibling group or attached to the proposed long-term foster parent and adoption is not feasible.

When a worker is considering long-term foster care as a permanency option she/he will arrange and facilitate a case conference to obtain input from all involved parties. The designated adoption staff in the local area could be included in the conference.

## SECTION VII

## INDEPENDENT LIVING

Independent living may be considered when it appears that reunification may not occur and adoption, legal guardianship and long-term foster care are not appropriate.

Criteria for Choice of Independent Living as Objective

The worker will use the following criteria in selection of independent living as a permanency objective:

- 1. The ward is in out-of-home care and reunification, adoption, legal guardianship or long-term foster care has been attempted but efforts haven't been successful or this permanency objective is not in the ward's best interest or is no longer appropriate; and
- 2. The ward is capable of caring for himself/herself independently and providing for himself/herself financially; and
- 3. The ward is involved in or has a specific plan for full-time or part-time involvement in an academic or vocational training or employment geared to self-sufficiency. If conditions such as disability which results in difficulty obtaining employment prevent maximum independence or employment, this objective or self-sufficiency with supportive services should be considered:
- 4. All services have been provided to the ward and while the ward is not demonstrating good potential for success, she/he is close to the age of majority.

## SECTION VIII

# SELF-SUFFICIENCY WITH SUPERVISION

Self-sufficiency with supports is an appropriate objective for a youth who experiences disabilities who currently is receiving and will continue to need a living situation with supports as an adult. Ward's may require continued involvement with the Department or another service agency or both after discharge from the state ward system.

The specific services for each of these permanency objectives are found in the Worker's Guidebooks as identified below:

Family Preservation - Initial Assessment Service Provision and Case Management Reunification – Out-of-Home Placement with Reunification as the Plan Adoption - Adoption Services (When Reunification Is not Possible)
Legal Guardianship (When Reunification Is not Possible)
Long-Term Foster Care - Other Permanency Objectives Independent Living (When Reunification is not Self-Sufficiency Possible)

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